

**THE INDEPENDENCE PARTY OF NEW YORK  
STATE COMMITTEE**



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October 27, 1998

F. Andrew Turley, Esq.  
Office of the General Counsel  
Federal Election Commission  
999 E. Street, NW  
Washington, D.C. 20463

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Dear Mr. Turley:

The Independence Party of New York has been informed that our nominee for Congress from the Second Congressional District of New York, Mr. Kenneth J. Herman, has filed a complaint with the Federal Election Commission alleging that Congressman Rick Lazio's campaign committee has violated the Federal Election Campaign Act. Several aspects and misrepresentations of Mr. Herman's filing compel a direct response from the Independence Party of New York.

As of September 25, 1998, Mr. Herman no longer holds the position of Ethics Committee Chairman for our Party. His use of Independence Party letterhead for filing his complaint is completely improper and unauthorized. Further, Mr. Herman's action appears to be politically motivated. Although Kenneth Herman is the Independence Party candidate for New York's Second C.D., the Independence Party does not endorse Mr. Herman's complaint against the Lazio campaign.

Thank you for your consideration of the matter.

Sincerely,

  
Jack R. Essenberg  
State Chairman